

Riparian Landowner Perspectives and Proposal*

Adjudication of Rights to the Fresno River

November 5, 2018

This DRAFT presentation was prepared by a group of Fresno River riparian landowners during a facilitated, 2 hour workshop held prior to a formal Madera Irrigation District (MID) Board of Directors' Workshop at which the public was provided an opportunity to provide input about MID's recent petition to the State Water Resources Control Board to conduct a statutory adjudication of riparian water rights on the Fresno River. This presentation was given during the MID Board workshop and it was noted by the presenters that it is subject to revision.

Concerns Described by Riparian Landowners

- Need to define the difference between “Administration” and “Operation”
- Riparians support MID being operator under direction of a water master appointed by a “Team”
- The River needs improved administration
- Need to communicate with all Riparians and bring them into the process.
- Need to improve communication between Riparians and MID
 - Need to better facilitate discussions.

Concerns Described by Riparian Landowners

- Need to define certainty for all water rights holders, MID, Riparians, etc.
- Riparians understand and are committed to work within water limitations of the River (seasonal changes, SGMA, etc.)

Concerns Described by MID

I. Riparian and appropriative acreage disputes

- Create Team to define and reconcile riparian, appropriative and judgement acreages
- Committed to true up riparian acreage definitions
 - To be done is approximately 90-120 days
- Committed to true up appropriative place of use designations

Concerns Described by MID

- **Diversion capacity disputes**
 - SB 88 requires metering. Committed to divert within defined allocations and report said diversions.
 - Data would support the administrator / Water Master
 - Question: Need better understanding from MID about what the concern / issue is.
 - Willing to define criteria to identify what per parcel diversions should be and to ensure that diversions do not dewater the river.

Concerns Described by MID

- **Unexercised riparian water rights**
 - Question: What has MID identified as a problem under this category.
 - Riparian right is never lost
 - Committed to creating a communication “Team” that in perpetuity conducts regular discussions to confirm existing diversions and address any new claims from a legitimate riparian.

Concerns Described by MID

- **Priority of water rights**
 - Recognize that this is contentious. Understand this will be challenging.
 - Recognize and support that MID and Bureau are a part of this. And...
 - Willing to work through a Team to tackle this. There is precedent for this to work (e.g. current Bureau license on Fresno River; other river agreements [notwithstanding different hydrologies])

Concerns Described by MID

- **Operational constraints**
 - Two Factors:
 - Protocols
 - Financial
 - Protocols: Need to clarify and finalize revised protocols to satisfy all water rights holders
 - Physical operational concerns
 - Financial: “Team” defines an initial equitable cost until cost allocation is defined. Then pay in perpetuity based on refined cost allocation method.

BOARD MEETING

[illegible]